



510471048

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
VERNAL DISTRICT OFFICE
170 SOUTH 500 EAST
VERNAL, UTAH 84078

M. W. J. B.
Wayne Hedberg
TAKE PRIDE IN AMERICA

IN REPLY REFER TO:
3809.3-2
UT08580
UMC 327440,
UMC 327441

RECEIVED
APR 25 1990

DIVISION OF
OIL, GAS & MINING
APR 23 1990

Wayne do we have any slots or files?
June 4 96

CERTIFIED MAIL
Return Receipt Requested
No. P 125 310 765

DECISION

Mr. Leo Snow, et al
P.O. Box 51
Jensen, Utah 84035

:
:
: **Sno-Ben # 4 and # 5**

Notice of Noncompliance

On January 4, 1990, I issued an order that required you, within thirty (30) days, to either complete those minimum stabilization measures needed to control occurring erosion or complete full reclamation of the surface disturbance on **Sno-Ben #4 and #5** placer mining claims. You have not complied with that order nor have you appealed my decision of January 4, 1990.

Because of your failure to comply, as provided for in the Code of Federal Regulations (CFR) at 43 CFR 3809.3-2(e) I am hereby requiring you to file a Plan of Operations in accordance with 43 CFR 3809.1-5 for all future operations on mining claims located on lands administered by the Vernal District Office of the Bureau of Land Management. This applies to all future operations except those defined as casual use under 43 CFR 3809.0-5(b) and authorized by 43 CFR 3809.1-2. The requirement for filing a Plan of Operations specifically includes those operations that normally would have been conducted under a Notice filed under 43 CFR 3809.1.3. In addition to requiring that all future operations, except casual use, be conducted under an approved Plan of Operations, I have determined as authorized by 43 CFR 3809.3-2(e) that a bond, as provided for in 43 CFR 3809.1-9, will be required before any Plan of Operation is approved.

You are ordered to submit to me details on how you intend to proceed with the full reclamation of the disturbance on the Sno-Ben #4 and #5 claims within thirty (30) days of receipt of this letter. I will determine if the details meet the regulatory requirements and are adequate. You will be required to reclaim the location within thirty (30) days of receiving my approval. The reclamation will be inspected to assure compliance. Reclamation must be accomplished to prevent further unnecessary and undue degradation of the environment. If you fail to follow the above order, the BLM will conduct the reclamation and initiate procedures to collect the expenses of such reclamation from yourself and Mr. Bennett.

Reclamation measures to be used by the BLM will fully reclaim all areas disturbed by yourself and Mr. Bennett as operators on the Sno-Ben #4 and #5 placer mining claims. If the BLM conducts the reclamation, you will be contacted for the purpose of locating the evidence of mineralization which you consider to be your discovery point.

You have the right to appeal to the Utah State Director, Bureau of Land Management, in accordance with 43 CFR 3809.4. If you exercise this right, your appeal, accompanied by a statement of reasons and any arguments you wish to present which would justify reversal or modification of the decision, must be filed in writing at this office within thirty (30) days after the date of this decision. This decision will remain in effect during appeal unless a written request for a stay is granted.

Sincerely,



David E. Little
Vernal District Manager

cc: Harold Bennett (Certified)
Mr. Lowell Braxton (Div. of Oil, Gas and Mining)
Utah State Office (U-920)